

February 26, 2007

RE: Donna Kern v. Department of Corrections (DOC)
Allocation Review No. 06AL0053

Dear Ms. Kern:

The Director's review of DOC's allocation determination of your position has been completed. The review was based on the written documentation submitted by you and by DOC. DOC determined that your position was properly allocated to the Warehouse Operator 4 classification. You feel that your responsibility for offenders is similar to the Correctional Industries Specialist 1, Construction and Maintenance Supervisor and Cook-AC classifications and ask that the salary range for your position be set at a comparable range.

The allocation review process is not the proper forum to rewrite or create a new classification. If you wish to propose a new or revised classification, you should work with your union representative and your agency's human resource staff to develop a proposal. You can find information about submitting a proposal on the Department of Personnel webpage at www.DOP.wa.gov under the HR Professionals tab. Under the HR Professionals tab, go to Meetings and then to Director of Personnel.

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Salary inequity is not an allocation criterion and should not be considered when determining the appropriate allocation of position. See Sorensen v Depts. Of Social and Health Services and Personnel, PAB Case No. A94-020 (1995).

Background

As a result of the Department of Personnel's implementation of the Group 2 and 3 Occupational Categories, effective January 1, 2006, your position was transitioned into the new Warehouse Operator 4 classification in the Warehouse Operations Occupational Category. (Exhibit B). By letter dated January 7, 2006, you requested a review of that decision. (Exhibit C).

At the request of the Department of Personnel, DOC conducted a review of your position. DOC compared the Classification Questionnaire (CQ) that was on file for your position at the time of the implementation of the new Warehouse Operations Occupational Category to your former Warehouse Worker 4 classification and the new Warehouse Operator 4 classification. By letter dated November 22, 2006, DOC determined that your position was properly allocated to the Warehouse Operator 4 classification. (Exhibit F).

By letter dated December 29, 2006, Karen Wilcox, the Director's Review Coordinator, informed the parties that the review of your position would be conducted based on the documents provided by the parties. (Exhibit G). Ms. Wilcox informed you that any additional documentation was to be submitted no later than January 25, 2007. On January 24, 2007, you submitted a letter requesting, in summary, that the word "Supervisor" be added to your title, that all the warehouse staff in DOC have "AC" added to their titles and be paid accordingly, and that DOC have a separate classification for warehouse personnel. (Exhibit H).

Summary of Ms. Kern's Perspective

In addition to overseeing the operations of the warehouse at the Washington Corrections Center for Women, your position supervises offenders, escorts offenders to and from their work areas, gives directives to offenders and writes infractions, ensures the safety of the offenders and the public, and responds to emergencies. You supervise three state employees and supervise and train three to eight offenders. The staff and offenders use warehouse equipment such as pallet jacks, hand trucks, and ladders, and tools such as box knives and box cutters. The warehouse is located outside of the fences of the institution and because there are no correctional officers in your area, you must rely on a perimeter officer to respond when help is needed. You ask that your salary be set at a higher pay range in recognition of the extra responsibilities generated by offender supervision. You compare your position to Construction and Maintenance Supervisor, Correctional Industries Specialist 1, and Cook-AC in regard to the similarity of your level of responsibility for offenders.

Summary of DOC's Reasoning

DOC compared your duties and responsibilities to the former Warehouse Worker 4 classification and the new Warehouse Operator 4 classification. DOC determined that the majority of your assigned duties and responsibilities are characteristic of your former classification, and subsequently, are also characteristic of the Warehouse Operator 4 classification.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file including your letters addressing the specific responsibilities of your position (Exhibits C, D and H) and the duties and responsibilities described in your CQ. In addition to the Correctional Industries Manufacturing Occupational Category, the Construction and Maintenance Supervisor classification and the Cook-AC classification, I reviewed the Warehouse Operations Occupational Category. The Warehouse Operator 4 level is the highest level of classification in this Occupational Category. I reviewed the current Department of Personnel classification plan and the list of abolished classes but I found no classification titled Correctional Industries Specialist.

Based on my review of the documents, the available classifications, and my analysis of your assigned duties and responsibilities, I conclude that your position is properly allocated to the Warehouse Operator 4 classification.

Rationale for Determination

The focus of positions allocated to the Correctional Industries Manufacturing Occupational Category is working with and teaching offenders a variety of trades and other skills used in the manufacturing process. You work with offenders in a warehouse setting, not a skilled trades setting. As a result, your position does not fit within the Correctional Industries Manufacturing Occupational Category.

The focus of positions allocated to the Construction and Maintenance Supervisor classification is supervising and working with a crew performing construction and maintenance work. Again, since you work with offenders in a warehouse setting, your position does not fit within the Construction and Maintenance Supervisor classification because you do not perform construction and maintenance work.

Similarly, positions allocated to the Cook-AC classification direct the preparation and service of food by offenders and do not work in a warehouse setting. Therefore, your position does not fit within the Cook-AC classification.

The Distinguishing Characteristics for the Warehouse Operator 4 classification state:

This is the supervisory or expert level of the series. Positions at this level supervise and direct the entire receiving, storage and shipping operation in a major distribution center or on a multi-shift operation serving multiple delivery points, the complete operation of a commissary, warehouse, or a major subdivision of a large volume fast turnover warehouse.

As indicated in the CQ for your position which you signed on July 25, 2000, you supervise the overall operations of a 90-day warehouse at the Washington Corrections Center for Women. You supervise and train all staff, conduct performance evaluations, establish level of supplies, order stock and maintain the inventory balance, and complete the necessary purchase orders, reports and recordkeeping associated with warehouse operations. You also oversee the issuing

of supplies to all departments and each living unit, adjust requests as required, oversee the ordering and delivery of supplies to departments, and oversee inventory tracking and recordkeeping. You are responsible for the safety and cleanliness of warehouse operations and you respond to and report security issues. As described on your CQ, the duties and responsibilities of your position fit within the Distinguishing Characteristics of the Warehouse Operator 4 classification. In addition, the examples of warehouse supervisor work identified at the Warehouse Operator 4 level are consistent with your assigned duties and responsibilities. Therefore, your position is properly allocated to the Warehouse Operator 4 classification.

This determination is based on the duties described in the classification questionnaire you signed on July 25, 2000. If the duties and responsibilities of your position have changed, you may request a review of your current duties and responsibilities in accordance with DOC's reallocation procedure.

Appeal Rights

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board by filing written exceptions to the Directors' determination in accordance with Chapter 357-52 WAC.

WAC 357-52-015 states that an appeal must be received in writing at the office of the Board within thirty (30) calendar days after service of the Directors' determination. The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

Sincerely,

Teresa Parsons
Director's Review Supervisor

cc: Joanne Harmon, DOC

List of Exhibits for Kern 06AL0053

- A. CQ for position #GB78 signed by Ms. Kern on July 25, 2000
- B. December 16, 2005 letter from Jennie Adkins informing Ms. Kern of the reallocation of her position to the Warehouse Operator 4 classification
- C. January 7, 2006 letter from Ms. Kern to the Director of the Department of Personnel requesting a review of her position.
- D. January 20, 2006 letter from Ms. Kern to Priscilla Mayo forwarding additional information regarding her reallocation request
- E. September 28, 2006 letter from Teresa Parsons to Ms. Kern and Ms. Harmon informing them that Ms. Kern's review request would be held until after DOC conducted a complete review and analysis of her duties and responsibilities
- F. November 22, 2006 Allocation Review Request letter from Ms. Harmon to Ms. Kern finding that Ms. Kern's position was properly allocated
- G. December 29, 2006 letter from Karen Wilcox to Ms. Kern and Ms. Harmon confirming that the position review would be based on the documents submitted
- H. January 22, 2007 letter from Ms. Kern to Teresa Parsons listing the reasons for her reallocation request
- I. Correctional Industries Manufacturing Occupational Category
- J. Construction and Maintenance Supervisor classification (70550)
- K. Cook-AC job classification (80200)
- L. Warehouse Operations Occupational Category including the classification specification for Warehouse Operator 4 (117L)